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DEC 19 2003

S/N 09/870,095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KASAZUMI, et al.	Examiner:	ORTIZ, J.
Serial No.:	09/870,095	Group Art Unit:	2697
Filed:	May 30, 2001	Docket No.:	10873.726US01
Title:	OPTICAL PICKUP AND OPTICAL INFORMATION RECORDING/ REPRODUCING DEVICE		

OFFICIAL

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 18, 2003.

By:   
Name: Gina M. Dahl

RESPONSE

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

Applicants provide the following comments in response to the Office Action of September 18, 2003.

Claims 1-3 have been rejected as anticipated by Nakane. Applicants respectfully traverse this rejection. Claim 1 requires a spot size adjustor that reduces a size of light spot in a recording operation relative to the light spot in a reproducing operation. Nakane neither discloses nor suggests this feature. As seen in Fig. 36 of the reference, the device of Nakane has a light spot for recording that is larger than that for reproducing. Therefore, Nakane teaches directly away from the invention of claim 1. Claims 2-3 depend from claim 1 and are allowable for at least the same reasons. Applicants are not conceding the correctness of the rejection for the features of claims 2-3.

Claims 4-6 have been rejected as obvious over Nakane in view of Tanase. Claims 4-6 depend from claim 1. Tanase does not remedy the deficiencies of Nakane noted above. Applicants are not conceding the correctness of the rejection for the features of claims 4-6.

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Claims 7-9 have been rejected as obvious over Nakane in view of Tanase, and further in view of Kato. Claims 7-9 depend from claim 1. Neither Tanase nor Kato remedies the deficiencies of Nakane noted above. Applicants are not conceding the correctness of the rejection for the features of claims 7-9.

Applicants appreciate the indication that claims 10-12 are considered allowable.

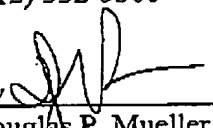
Favorable reconsideration of claims 1-12 in the form of a Notice of Allowance is requested.



Date: December 18, 2003

Respectfully submitted,

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